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The Rule of Law

1. EXPORT CONTROL REFORM 2010: TRANSFORMING THE LEGAL ARCHITECTURE OF DUAL-USE AND DEFENSE TRADE CONTROLS

Shenai, Neena

American Enterprise Institute for Public Policy Research, February 2, 2010, 24 pages

This paper proposes reforms to the legal framework of the U.S. export control system. By examining the existing legal structure of dual-use and defense trade controls and its shortcomings, the paper considers how other U.S. legal regimes could provide models for ongoing reform efforts being undertaken by the Obama Administration and Congress. The paper proposes certain reforms, including the institution of added administrative safeguards and limited judicial review, to improve the current system. Available online at

<http://www.aei.org/docLib/Export%20Control%20Reform%20Paper.pdf>

2. UNAUTHORIZED ALIEN STUDENTS, HIGHER EDUCATION, AND IN-STATE TUITION RATES: A LEGAL ANALYSIS

Feder, Jody

Congressional Research Service, Library of Congress, January 13, 2010, 9 pages

Currently, federal law prohibits states from granting unauthorized aliens certain postsecondary educational benefits on the basis of state residence, unless equal benefits are made available to all U.S. citizens. The report provides a legal overview of cases involving immigrant access to higher education, as well as an analysis of the legality of state laws that make in-state tuition rates available to illegal immigrants. Available online at

http://assets.opencrs.com/rpts/RS22500_20100113.pdf

Economics and Trade

3. THE GLOBAL CRISIS AND THE FUTURE OF THE DOLLAR: TOWARD BRETTON WOODS III?

Bibow, Jorg

Levy Economics Institute of Bard College, February 2010, 20 pages

The paper investigates the United States dollar's role as the international currency of choice as a key contributing factor in critical global developments that led to the crisis of 2007–09, and considers the future role of the dollar as the global economy emerges from that crisis. It is argued that the dollar is likely to retain its hegemonic status for a few more decades, but that United States spending powered by public rather than private debt would provide a more sustainable motor for global growth. In the process, the “Bretton Woods II” regime depicted by Dooley, Folkerts-Landau, and Garber (2003) as sustainable despite featuring persistent U.S. current account deficits may turn into a “Bretton Woods III” regime that sees U.S. fiscal policy and public debt as “minding the store” in maintaining U.S. and global growth. Available online at

http://www.levy.org/pubs/wp_584.pdf

4. THE GLOBAL MIDDLE CLASS IS HERE: NOW WHAT?

Wheary, Jennifer

World Policy Journal, vol. 26, no. 4, Winter 2009/2010, pp. 75-83

Wheary, senior fellow at the public-policy organization Demos, writes that the global middle class has been growing exponentially, with some 1.2 billion people joining its ranks since the early 1990s. This new group has massive new expectations — part consumer group, part social force, they are in a position to pressure for more infrastructure, better governance, social stability or even political change. The author notes that a growing middle class does not guarantee a move to democracy, the elimination of corruption or enactment of property-ownership laws, but is an indication that change is afoot. She notes that the downside of a growing middle class is growing material consumption, resulting in more pollution and carbon emissions. The major challenge is to inculcate in this emerging class the virtues of sustainability, while ensuring that the goods and services they want to obtain are environmentally sound. Available online at <http://www.mitpressjournals.org/doi/pdf/10.1162/wopj.2010.26.4.75>

5. GLOBALIZATION: CURSE OR CURE?

Gokhale, Jagadeesh

The Cato Institute, February 1, 2010, 24 pages

Globalization holds tremendous promise to improve human welfare but can also cause conflicts and crises as witnessed during 2007–09. How will competition for resources, employment, and growth shape economic policies among developed nations as they attempt to maintain productivity growth, social protections, and extensive political and cultural freedoms? The author strives to answer these questions. Currently available online at <http://www.cato.org/pubs/pas/pa659.pdf>

6. IS REREGULATION OF THE FINANCIAL SYSTEM AN OXYMORON?

Kregel, Jan

Levy Economics Institute of Bard College, February 2010, 14 pages

The extension of the subprime mortgage crisis to a global financial meltdown led to calls for fundamental reregulation of the United States financial system. However, that reregulation has been slow in implementation and the proposals under discussion are far from fundamental. One explanation for this delay is the fact that many of the difficulties stemmed not from lack of regulation but from a failure to fully implement existing regulations. At the same time, the crisis evolved in stages, interspersed by what appeared to be the system's return to normalcy. Currently available online at http://www.levy.org/pubs/wp_585.pdf

7. ROCKING THE CURRENCY BOAT

Andrews, David

Milken Institute Review, vol. 11, no. 4, Fourth Quarter 2009, pp. 14-23

The author, a professor of international relations at Scripps College, California, discusses what China really wants from its financial dominance and what is it most likely to get. U.S. Treasury Secretary Timothy Geithner, during his confirmation hearings, went out of his way to criticize China's exchange-rate policy, suggesting that Beijing was manipulating its currency. Under U.S. law, formal designation of a country as a currency manipulator triggers a mandatory response. In the current environment, the Europeans are no more sensitive to movements in the dollar than are Americans, and Asians are capable of blocking undesired movements of their currencies against the dollar altogether. It took years for France and Germany to agree on a joint float, and, once agreed upon, the arrangement proved extremely difficult to maintain. For their part, China and Japan have not achieved a comparable postwar reconciliation and while China's leaders may call for reforms in the international monetary system, requesting that the United States get its own

fiscal situation under control, they have no intention of going overboard with anything that would harm their nation's economy.

8. THE SECRETS OF STABILITY: WHY TERRORISM AND ECONOMIC TURMOIL WON'T KEEP THE WORLD DOWN FOR LONG

Zakaria, Fareed

Newsweek, December 12, 2009

The author notes that, despite hard times, there has not been a global collapse in the last year because the current global economic system is inherently more resilient than commonly thought. Among the reasons are that peace among major powers has minimized bloody military conflicts and instability; inflation, which can be more socially and politically disruptive than a recession, is under control; and technological connectivity and the diffusion of knowledge allow for greater opportunities for wealth creation at every level of society. "Clear-thinking citizens around the world," Zakaria writes, "are determined not to lose these gains by falling for some ideological chimera, or searching for a worker's utopia. They are even cautious about the appeals of hypernationalism and war. Most have been there, done that. And they know the price." Currently available online at <http://www.newsweek.com/id/226425>

9. SHOULD CENTRAL BANKS TARGET ASSET PRICES?

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International Economy, Fall 2009, pp. 8-19

Over the past year, with the collapse of the U.S. subprime mortgage market, central banks have enacted a host of emergency measures. However, identifying overinflated asset markets in advance and avoiding moral hazard is very difficult. Former Federal Reserve Chairman Alan Greenspan made his famous remark about the stock market being "irrationally exuberant" at a time when the stock market was a third lower than it is today; Americans' "irrational exuberance" over housing prices turned out to be a bubble, after all. Twenty experts offer their views in this symposium on the degree to which central banks should attempt to influence asset prices, or whether it is even possible. Currently available online at http://www.international-economy.com/TIE_F09_AssetPriceSymp.pdf

Global Issues / Environment

10. ARE NEXT-GENERATION JOURNALISTS THE FUTURE FOR A PROFESSION IN TRANSITION?

Connell, Christopher

Carnegie Reporter, vol. 5, no. 3, Fall 2009, pp. 2-10

The author, an independent journalist, focuses on News21, a multi-million-dollar experiment by Carnegie Corporation of New York and the James S. and John L. Knight Foundation, to determine if a new crop of journalists can awaken interest in news where older and more experienced journalists have failed. Connell believes that to do this, they first need to study important issues, such as liberty and security, the role of religion in American life, the country's dramatically changing demographics, and then produce stories with all the multimedia tools that the digital age has to offer. Connell notes that this effort is taking place in a news environment in which entertainment dominates, and during recession that has seen the demise of several major newspapers and layoffs of reporters and editors. Available online at http://www.carnegie.org/reporter/pdf/19/19_01_News21.pdf

11. EARTHQUAKE IN HAITI: LEADING U.S. FOUNDATIONS RESPOND TO THE CRISIS

McGill, Lawrence T.; Lawrence, Steven
Foundation Center, January 2010, 3 pages

In the immediate aftermath of the January 12, 2010, earthquake in Haiti, the Foundation Center surveyed members of its Grantmaker Leadership Panel to gauge the reaction of top U.S. funders to the unfolding crisis. Findings suggest that a number of leading funders are considering a direct response to the crisis, with a primary focus on providing emergency assistance. Currently available online at

http://foundationcenter.org/gainknowledge/research/pdf/researchadvisory_haiti.pdf

12. LEARNING FROM THE FORESHOCKS OF THE HAITI DISASTER

Rothkopf, David
Foreign Policy, January 13, 2010

Rothkopf, visiting scholar at the Carnegie Endowment for International Peace, writes that the disaster in Haiti did not just occur with the earthquake, but with “two centuries of misfortune that have plagued the country.” As a former official in the Clinton administration, Rothkopf notes that fifteen years ago, there was a major effort by the U.S. and the international community to turn Haiti around. But he acknowledges that serious errors were made, the primary one being that the U.S. misread then-Haitian president Jean-Bertrand Aristide; the turmoil that ensued during his tenure left many uneasy about dispersing aid. With the war on terror and economic crises, the U.S. lost the political will to assist Haiti; the real tragedy, says Rothkopf, is the missed opportunity of the 1990s. The real cause of the disaster is “the callous neglect of neighbors who were content to live with one of the world’s poorest countries at the doorstep of the world’s richest.” Says Rothkopf, “Haiti today well illustrates that we can almost always do more to prevent or manage the foreshocks of crises than their aftershocks.” Currently available online at

http://rothkopf.foreignpolicy.com/posts/2010/01/13/learning_from_the_foreshocks_of_the_haiti_disaster

13. THE OTHER INCONVENIENT TRUTH: THE CRISIS IN GLOBAL LAND USE

Foley, Jonathan
Yale Environment 360, October 5, 2009

Foley, director of the Institute on the Environment at the University of the Minnesota, writes that the environmental impact of our current agricultural practices rival that of climate change. Already, humanity has converted over a third of the world’s ice-free land surface to agriculture, which has been more disruptive to the earth’s ecosystems than anything else since the last ice age. Given the world’s growing population, we may have to double or even triple agricultural output over the next 30-40 years. Says Foley, “the future of our civilization and our planet requires that we simultaneously address the grand challenges of climate change and land use ... anything less will be a complete catastrophe.” He believes that we need to have a larger international conversation to acknowledge the scope of the problem; among the goals he suggests is to invest in new agricultural solutions and bridge the divide that has grown between production agriculture and environmental conservation. Currently available online at

<http://www.e360.yale.edu/content/feature.msp?id=2196>

Regional Security

14. AL QAEDA AND AFFILIATES: HISTORICAL PERSPECTIVE, GLOBAL PRESENCE, AND IMPLICATIONS FOR U.S. POLICY

Rollins, John

Congressional Research Service, Library of Congress, February 5, 2010, 32 pages

Al Qaeda (AQ) has evolved into a significantly different terrorist organization than the one that perpetrated the September 11, 2001, attacks. At the time, Al Qaeda was composed mostly of a core cadre of veterans of the Afghan insurgency against the Soviets, with a centralized leadership structure, made up mostly of Egyptians. The focus of the report is on the history of Al Qaeda, actions and capabilities of the organization and non-aligned entities, and an analysis of select regional Al Qaeda affiliates. Available online at

http://assets.opencrs.com/rpts/R41070_20100205.pdf

15. AL QAEDA THREAT ESCALATES

Williamson, Elizabeth; Levinson, Charles; Dreazen, Yochi

Wall Street Journal, January 4, 2010

Although Yemen is clearly an increasingly important incubator for terrorists, it is not clear how U.S. forces would be involved in any new military action against al-Qaeda in that country.

According to this report, the United States plans to double its counterterrorism support to Yemen from \$67 million to as much as \$190 million in 2010. But the risk is that the money will be used by corrupt government officials to fund an ongoing civil war in that destitute country rather than for counterterrorism efforts. Past attacks against al-Qaeda by the Yemeni government have proved disappointing. When the Yemeni government attempted a large offensive against al-Qaeda in 2004 in the province of Marib, for example, the army lost 27 soldiers in three hours of fighting before it withdrew, leaving al-Qaeda's clout in the area unchecked. Currently available online at <http://online.wsj.com/article/SB126256082159914117.html?mod=article-outset-box>

16. PREVENTION OF WMD PROLIFERATION AND TERRORISM REPORT CARD

Graham, Bob; Talent, Jim

Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, January 26, 2010, 24 pages

The report card indicating that the U.S. government is not taking the necessary steps to protect the country from the threats posed by WMD and terrorism. Of 17 grades, the report card includes three failing "F" grades on rapid and effective response to bioterrorism; Congressional oversight of homeland security and intelligence; and national security workforce recruitment. Fortunately, all three grades could be substantially improved by committed leadership in Congress and the Administration. Available online at <http://www.preventwmd.gov/static/docs/report-card.pdf>

17. REVITALIZING PUBLIC DIPLOMACY

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Journal of International Security Affairs, no. 17, Fall 2009, pp. 9-17, 19-27, 29-53, 55-62

Six essays in this issue address the subject of public diplomacy. In "No Substitute for Substance," Robert Reilly, former VOA director, looks at how America interacts with the Muslim world and the importance of new ideas and content. J. Michael Waller, professor of international communication, Institute of World Politics, writes in "Getting Serious About Strategic Influence" that the State Department needs to move beyond what he considers its past legacy of failure into

strategic communication. Helle C. Dale of the Heritage Foundation warns in “An Inauspicious Start” that present signs indicate that President Obama has as little interest in public diplomacy as his predecessor did. In “Messaging to the (Muslim) Masses”, Ilan Berman, editor of the Journal, writes that the Islamic world is our target audience and that there are many ways for public-diplomacy efforts to be successful in its efforts towards them. Colleen Graffy, professor of law, Pepperdine University, and former Deputy Assistant Secretary of State for Public Diplomacy, advises in “The Rise of Public Diplomacy 2.0” that with the global media environment constantly changing, public diplomacy needs to keep up. In “Wanted: A War on Terrorist Media”, Mark Dubowitz, with the Foundation for Defense of Democracies, argues that we should be treating the media outlets of terrorist groups as terrorists themselves. Articles are all available online at www.securityaffairs.org

18. SUBMARINE ARMS RACE IN THE PACIFIC: THE CHINESE CHALLENGE TO U.S. UNDERSEA SUPREMACY

Eaglen, Mackenzie; Rodeback, Jon

The Heritage Foundation, February 2, 2010, 13 pages

Since the end of the Cold War, China has dramatically expanded its navy, especially its submarine fleet, adding dozens of attack submarines since 1995. During the same period, the U.S. attack submarine fleet has shrunk to 53, and is projected to fall to 41 in 2028. Australia, India, and other Pacific countries have taken note of the shifting balance and have responded with their own naval buildups, particularly of their submarine fleets. Unless the U.S. stops and reverses the decline of its own fleet, U.S. military superiority in the Pacific will continue to wane, severely limiting the Navy's ability to operate in the region, to protect U.S. interests, and to support U.S. friends and allies, says the brief. Available online at http://s3.amazonaws.com/thf_media/2010/pdf/bg_2367.pdf

19. A THOUSAND POINTS OF HATE

Dickey, Christopher

Newsweek, January 11, 2010

The surge in efforts to attack the U.S. over the last few months -- including the recent incident involving Detroit-bound Northwest Flight 253 -- is a measure of U.S. success at combating terrorism, Dickey says. But although this has put organized extremist groups under mounting pressure, it has also encouraged more individual amateurs, like the 23-year-old Nigerian involved in the Detroit incident. Moreover, al-Qaeda affiliates in Somalia and Yemen have started attracting and cultivating would-be jihadis from the U.S. itself. The media attention for even failed terrorist attempts is a boon to recruitment for any aspiring extremist group. Dickey advises the Obama administration to stay the course in maintaining an aggressive but low-profile defense while discrediting al-Qaeda's ideology. Obama “needs to keep the focus on the small groups and individuals who present a real threat while engaging in the battle of ideas from the high ground of traditional American values,” Dickey says. Dickey adds: “No allies in the Muslim world want to be seen working with the United States to kill other Muslims. Obama must not let the United States get dragged into another overt war, and must continue extricating American troops from the occupations he inherited.” Currently available online at <http://www.newsweek.com/id/229078>

U.S. Society and Values

20. GLOBE-TROTTERING ACADEMICS FIND NEW CAREER PATHS

Wilson, Robin

Chronicle of Higher Education, Vol. 56, No. 16, December 11, 2009, pp. A1, A19–A21

At a time when American college leaders talk frequently about internationalizing their campuses, only 9 percent of U.S. faculty have ever held a job at a foreign university for at least one year, according to a new survey by the Chronicle. Those American academics who have pursued careers at foreign universities have often done so for reasons other than the tight U.S. job market. In interviews with more than two dozen American academics teaching at universities around the world, Wilson found that some wanted new challenges after long, successful careers in U.S. education; some wanted to pursue research centered in the country in which they teach; some welcome the opportunity to play leadership roles in institutions that are just getting started; some are attracted by the chance to do things that they could not do in the United States until much later in their careers; and some are “adventure junkies.” Many foreign universities are trying to attract American academics by offering big salaries and substantial perks. The Chronicle survey revealed one reason there aren’t more American academics taking jobs internationally: most American academics would be most tempted by a job in Europe, while the regions in which institutions are trying hardest to recruit U.S. faculty are located in the Middle East and East Asia, the regions least tempting to the participants in the survey.

21. HOW ONLINE LEARNING IS REVOLUTIONIZING K-12 EDUCATION AND BENEFITING STUDENTS

Lips, Dan

The Heritage Foundation, January 12, 2010, 9 pages

According to the report, virtual or online learning is revolutionizing American education. It has the potential to dramatically expand the educational opportunities of American students, largely overcoming the geographic and demographic restrictions. Virtual learning also has the potential to improve the quality of instruction, while increasing productivity and lowering costs, ultimately reducing the burden on taxpayers. Available online at http://s3.amazonaws.com/thf_media/2010/pdf/bg_2356.pdf

22. IS THE WORLD OUR CAMPUS? INTERNATIONAL STUDENTS AND U.S. GLOBAL POWER IN THE LONG TWENTIETH CENTURY

Kramer, Paul A.

Diplomatic History, vol. 33, no. 5, November 2009, pp. 775-806

Kramer, Associate Professor of History at Vanderbilt University, builds on the movement to broaden the history of U.S. foreign relations beyond just official relations between governments, drawing attention to international students as foreign-relations actors. By implication, classrooms, campuses and college towns all function as international-relations nodes. He writes that there is much to be gained from approaching the topic through the lens of U.S. global power. From pre-Fulbright days, there has been a tendency on the part of American educators and officials to view study-in-the-U.S. programs, including military training courses, as a means of enhancing the nation's position in the world. The author explores whether we should regard education only in terms of national interests or also in terms of potentially transnational group interests -- do we miss something if we focus on U.S. global power rather than the creation of a global elite? He suggests framing the issue of international education in terms of world history, class formation, capitalism, democracy, or globalization instead of in terms of history of U.S. foreign relations.

23. STANDARDS FOR A NEW CENTURY

Theroux, Karen

Carnegie Reporter, vol. 5, no. 3, Fall 2009, pp. 28-34, 36

Theroux, a writer with the Carnegie Corporation's public-affairs department, writes that the Obama administration is focused on education reform, particularly on the upgrading of standards; there is support from the leadership on Capitol Hill, plus the realization that there are proven strategies that work in the classroom. The United States is preparing to switch from mostly local control of education to nationally aligned Common Core State Standards -- evidence-based, internationally benchmarked guidelines that are expected to transform teaching and learning across the country, allowing students uniform access to higher education and greater opportunity. Assessments and standards are inseparable, and innovation in testing and accountability is critical to transforming the education system. Available online at http://www.carnegie.org/reporter/pdf/19/Reporter_Fall_2009.pdf

24. THOMAS JEFFERSON: FOUNDING FATHER OF INDIAN REMOVAL

Hirsch, Mark

American Indian, Summer 2009, pp. 54-58

The author notes that Thomas Jefferson was a true "Renaissance man," and was greatly interested in the Native American Indians, collecting artifacts, studying their customs and native languages. Jefferson believed that the only thing the Indians needed was the "civilizing influence of agriculture", notwithstanding the widespread Native farming that did not use European implements. Jefferson's belief that democracy rested on yeoman agriculture and an unlimited supply of land collided with the fact that America's "vacant lands" were populated with thousands of American Indians who were not inclined to give up their traditional ways. Jefferson realized that removing Indians from the land was necessary for American expansion, and about the time of the Lewis and Clark expedition, began formulating a policy to acquire lands from Indians living east of the Mississippi river. Private letters Jefferson wrote as early as 1803 document his doubts about the feasibility of assimilating Indians into American life. The author notes that while Jefferson was not responsible for the "Trail of Tears", he set the groundwork for what became a formal national policy for the rest of the nineteenth century.